

AMENDMENT UNDER 37 C.F.R. § 1.116 AND
STATEMENT OF SUBSTANCE OF INTERVIEW
Application No.: 10/519,710
Attorney Docket No.: Q85551

REMARKS

Claims 1-10, 12-19, 21, and 22 are all the claims pending in the application.

Statement of Substance of Interview

As an initial matter, Applicants' representative thanks the Examiner and Supervisory Patent Examiner (SPE) for the courtesies extended during the telephonic interview conducted on July 10, 2009. In view of the helpful comments provided by the Examiner during the interview regarding the 35 U.S.C. § 112 rejection, and to expedite prosecution of the instant application, claim 1 has been amended. Applicants respectfully submit that the amendments place the application in immediate condition for allowance, as agreed to by the Examiner and SPE (*see* Interview Summary mailed July 17, 2009).

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

Claim Rejections - 35 U.S.C. § 112

Claims 1-10, 12-19, 21, and 22 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Applicants do not acquiesce to this rejection. In order to expedite prosecution, however, Applicants amend claim 1 by this Amendment. Specifically, claim 1 has been amended to recite:

electrocardiographic signal detection means for detecting a first electrocardiographic signal at a first point, and for detecting a second electrocardiographic signal at a second point; and

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eyeground image detection means for detecting eyeground image data in synchronization with the first time point and the second time point, and for detecting pulse wave propagation in an intracerebral blood vessel on the basis of a change in a diameter of an eyeground vein, the diameter being measured at a target site of the eyeground image data synchronized with the first electrocardiographic signal detected at the first point and the second electrocardiographic signal detected at the second point.

This amendment is supported by *at least* page 41, last paragraph to page 43, second full paragraph of the Specification. As noted above under the Statement of Substance of Interview, the Examiner and SPE agreed that this amendment overcomes the 35 U.S.C. § 112, first paragraph rejection. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 112 rejection.

The remaining claims, namely claims 2-10, 12-19, 21, and 22 comply with the requirements of 35 U.S.C. § 112 *at least* by virtue of their dependency.

Claims 5-7, 14-16, 21, and 22 have been amended so they are consistent with the claim 1 amendment.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: September 9, 2009